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Minutes

Board of Elevator Regulations

One Ashburton Place, 13th Floor, AAB conference room

March 29, 2016 - 1:00PM

Board Members Present:

Stephen Sampson
Cheri Davis
Harold J. McGonagle
John O'Donoghue
Michael J. Nicoloro Jr.
David Morgan
Thomas Riley (was not present for hearings)

Guest Present:

Robert Cleary Jr. (Cleary Elevator)
Dave Keaney (Kone Elevator)
Kevin Murphy (Lesley University)
Charles Goss (Lesley University)
Guy Grassi (Grassi Desks Group)
Ken Tocher (Benchmark)
Martha Bien-Aimé (DPS)
Stephen Carley (DPS) (was not present for hearings)

Board Members Absent:

David Gaudet

1. The Board of Elevator Regulations ("Board") postponed the Meeting Minutes from March 22, 2016 for the next BER meeting on April 19, 2016.
2. **The Board discussed the following:**

117 Beacon Street-Boston, MA

(524 CMR § 35 Part 5 § 5.3.1.10.3 Rise)

Owner: Beacon Mainsail LLC

Petitioner: Richard W. Van Tassell/ Benchmark Elevator Co., Inc

The petitioner came before the Board seeking variance to allow the installation of a residential lift in an existing building with a rise of 62'-6 1/8". For residential elevators, ASME A17.1-2013 allowed 50-ft as vertical travel distance. The petitioner submitted more information regarding the case as requested after his first hearing. The variance was granted to the section on the code requiring additional height. The Board also specifies that the elevator can not be commercial. Variance needs to be clearly posted that this height is allowed only in a single family residence. A motion was put forth by Harry McGonagle to grant the variance and seconded by John O'Donoghue.

Motion by: Harold J. McGonagle

Seconded by: John O'Donoghue

Vote: 5-0; Granted; Cheri Davis: Opposed

3. 197 Marlborough St. – Boston, MA

524 CMR 23.01

Owner: 197 Marlborough St. – Boston, MA

Petitioner: Robert Cleary

The petitioner came before the “Board” seeking variance from the provision of 524 CMR 23.01 to get acceptance for the total travel of 52’-9” in a Single family owner occupy building, which exceeds residence elevator limits by 2’-9” by code. The Board cited 524 CMR section 35 section 5.3.1.10.3 regarding rise for the travel of 50’. A motion was put forth by Harold McGonagle to grant the variance for the rise of 2’-9”. The motion was seconded by David Morgan.

Motion: Harold McGonagle

Seconded by: David Morgan

Vote: 6-0 Granted

4. 99 Brattle Street – Cambridge, MA

(419-P-120)

524 CMR 17.24

Owner: 29 Everett Street, Cambridge

Petitioner: Chuck Goss

The petitioner came before the Board seeking variance according to an inspector that required a vent in the machine room per 524 CMR 17.24, which the petitioner stated it’s not needed. A motion was put forth by Cheri Davis to grant the variance with extension for 6 months to install ventilation in the machine room. The motion was seconded by Micheal Nicoloro, Jr.

Motion: Cheri Davis

Seconded by: Micheal Nicoloro, Jr.

Vote: 6-0 Granted

5. The Board of Elevator Regulations met the Attorney Stephen Carley to discuss code development. A motion was put forth by Cheri Davis and seconded by John O’Donoghue to continue the meeting off line.

Motion: Cheri Davis

Seconded by: John O’Donoghue

Vote: 6-0

Matters not reasonably anticipated 48 hours in advance of meeting

Exhibit List:

Exhibit 1: Meeting minutes from March 22, 2016 & March 29, 2016

Exhibit 1: Variance Petition – 117 Beacon Street – Boston, MA

Exhibit 2: Variance Petition – 197 Marlborough Street – Boston, MA

Exhibit 3: Variance Petition – 99 Brattle Street – Cambridge, MA

Motion to adjourn by: Cheri Davis, Seconded by: John O’Donoghue

Hearing Concluded at 3:05 p.m.

Prepared by: Martha Bien-Aimé